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(202) 429-7000

August 16, 1994

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

WRITER'S DIRECT DIAL NUMBER

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DOCKET FILE COPY ORIGINAL

(202) 828-3182

William Caton, Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554
MAIL STOP CODE: 1170

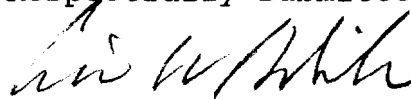
Re: Ex Parte Contact in MD Docket No. 94-19

Dear Mr. Caton:

On August 16, 1994, the attached letter was delivered to H. Walker Feaster. Since the letter relates to matters in the above-referenced docket proceeding, a copy of the letter has been provided to your office for filing as an ex parte.

If you have any questions concerning this transmittal, please contact the undersigned at (202) 828-3182.

Respectfully submitted,



Eric W. DeSilva

Encl.

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H. Walker Feaster
Associate Managing Director, Pennsylvania
Federal Communications Commission
1919 M Street, N.W.; Rm 528
Washington, D.C. 20554
MAIL STOP CODE: 1100B

Re: Regulatory Fees for Radio Common Carriers

Dear Mr. Feaster:

As you know, the regulatory fee filings for radio common carriers will be due very shortly on August 26, 1994. The Personal Communications Industry Association ("PCIA"), as the trade association for such carriers, has received numerous inquiries regarding how "subscriber" is defined for purposes of the regulatory fees filings. In an effort to be responsive to its members, PCIA has prepared the attached "Regulatory Fees Advisory" that it believes is consistent with statements by the FCC. To avoid any unnecessary misinterpretations, however, PCIA is requesting your assistance in reviewing the advisory and providing us with any input you deem necessary.

PCIA thanks you for your time in considering this matter. If you have any questions or comments on the attachment, please contact the undersigned at (202) 429-7049.

Respectfully submitted,

R. Michael Senkowski

R. Michael Senkowski

Encl.

PERSONAL COMMUNICATIONS INDUSTRY ASSOCIATION REGULATORY FEES ADVISORY

As you should be aware, carriers will be required to pay a regulatory fee in the amount of \$0.06 per subscriber for cellular radio and radio common carrier paging systems on August 26, 1994. PCIA has been contacted by a number of members with questions as to how "subscriber" is defined by the FCC. Although PCIA filed comments with the FCC requesting guidance on this issue, the FCC's order on regulatory fees did not provide precise advice. PCIA has, however, provided below some guidelines that the association believes constitute a reasonable interpretation of the FCC's regulations in light of current industry practices. These guidelines have not been reviewed, or consented to, by the FCC. Accordingly, each carrier is advised to consult with its counsel in determining the amount of the regulatory fees it should pay to the FCC. PCIA intends to file these guidelines with the FCC and will continue to seek further guidance.

- *PCIA believes it is reasonable to assume that "subscribers" is interchangeable with "customers."* PCIA argued in its comments that the terms "subscribers" and "customers" appear to be used interchangeably in the Commission's rules and should be defined as interchangeable for purposes of the regulatory fee filings. In response, the Commission defined a mobile service "subscriber" as "an individual or entity authorized by the mobile service provider to operate under its blanket license in exchange for monetary consideration." This definition appears to be consistent with treating "subscribers" and "customers" as interchangeable. Under this interpretation, a reseller would be counted as a single subscriber, regardless of the number of pagers the reseller served.
- *PCIA believes it is reasonable to assume that "interconnected customers" should be considered "roamers" and not counted as "subscribers."* It is PCIA's understanding that some paging systems have joint interconnection arrangements that allow a subscriber (the "interconnected customer") from one system to receive pages while in the service area of other systems operating on the same frequency. In these cases, the system serving the interconnected customer does not have a direct carrier/end-user relationship, but rather maintains a relationship with the other paging system operator. Because the regulatory fee for an interconnected customer will be paid by the subscriber's home system, if a carrier does not have a carrier/end-user relationship with an interconnected customer, PCIA believes it is reasonable to assume that the interconnected customer should not be counted as a "subscriber" for purposes of assessing regulatory fees.